

**Town & Country Planning Act 1990 (as amended)**  
**Planning (Listed Building & Conservation Area) Act 1990 (as amended)**

**Approval of details reserved by condition**

**Applicant**

Mr Andrew Archer  
AAIP Partnership  
55 Newton Street  
Manchester  
M1 1ET

**Agent (if used)**

Adam Barr  
JPM Acoustics  
Via Email

**Part 1 – Particulars of the application/development**

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**Proposal:** Discharge of condition 8 (Acoustics) attached to application ref no 131084/FO/2021 (resubmission due to amendments to scheme approved under application ref no CDN/22/0582)

**Location:** 55 Newton Street, Manchester, M1 1ET

**Date of application:** 22 March 2023

**Application number:** CDN/22/0942

**Part 2 – Particulars of decision**

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Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Approved** in accordance with the information set out below.

**condition 8 (Acoustics)**

Condition 8 (Acoustics) On the basis of implementation in accordance with the following:

Recommendations and noise standards within the 55 Newton Street, Manchester Overheating and Acoustics Assessment Client: AAIP Partnership Project Number: 1752022 Date: 23rd December 2022 by JPM Acoustics (Table 4.1).

the pre-commencement requirements of the condition are discharged.

For the avoidance of doubt the approved noise insulation scheme and ventilation measures shall be completed before any of the dwelling units are occupied.

The following noise criteria will be required to be achieved:

|                                        |                                                                                                       |
|----------------------------------------|-------------------------------------------------------------------------------------------------------|
| Bedrooms (night time - 23.00 - 07.00)  | 30 dB LAeq (individual noise events shall not exceed 45 dB L <sub>Amax,F</sub> by more than 15 times) |
| Living Rooms (daytime - 07.00 - 23.00) | 35 dB LAeq                                                                                            |

where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB, respectively

Full discharge requires that prior to occupation a post completion report to verify that all of the recommended mitigation measures have been installed and effectively mitigate any potential adverse noise impacts in the residential accommodation shall be submitted and agreed in writing by the City Council as local planning authority. Prior to occupation any non compliance shall be suitably mitigated in accordance with an agreed scheme.

Date: 28 April 2023

Signed: 

Julie Roscoe  
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

## Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 (as amended) or Planning (Listed Building & Conservation Area) Act 1990 (as amended) does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – [www.gov.uk/appeal-planning-inspectorate](http://www.gov.uk/appeal-planning-inspectorate). The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.